CHAPTER VI

PROVISIONS AS TO REVENUE

Liability to pay Revenue.

25. (1) Every person shall be liable to pay revenue to the State Government for the lands allowed to be retained by him within the ceiling limit.

(2) Revenue shall be the first charge on the lands.

Determination of Revenue and appeal.

26. (1) A person shall pay as revenue for the lands allowed to be retained by him such amount as may be determined by the Revenue Officer in the prescribed manner having regard to the amount payable by him as khazana for such lands immediately before the notified date;

(2) Where, immediately before the notified date, no khazana was payable in respect of the lands allowed to be retained by such person or where khazana for such lands was payable wholly in kind or partly in kind and partly in cash, he shall pay as revenue such amount as may be determined by the Revenue Officer in the prescribed manner having regard to the prevailing average rate of cash khazana for lands of similar description and with similar advantages in the vicinity.

(3) Until any revenue is determined under sub-section (1) or sub-section (2) every person shall continue to pay as revenue to the State Government for the lands allowed to be retained by him within the ceiling limit such proportionate amount as would have been paid by him as khazana for such lands immediately before the notified date.

(4) Any person aggrieved by an order determining the amount of revenue under sub-section (1) or sub-section (2), may, within thirty days from the date of such order, appeal to the Tribunal constituted under section 13 and such appeal shall be disposed of in the manner provided in Section 13.

CHAPTER - VII

RESTRICTIONS ON ALIENATION OF LANDS BY SCHEDULED TRIBES.

Commencement and overriding effect.

27. (1) The provisions of this Chapter shall come into force on such date as the State Government may, by notification, appoint.

(2) The provisions of this Chapter shall have effect notwithstanding anything to the contrary contained elsewhere in this Act.

Restrictions on alienation of lands by Scheduled Tribes.

28. Save as otherwise provided in this Chapter, any transfer by a person belonging to a Scheduled Tribe in respect of any land allowed to be retained by him under this Act or portion thereof shall be void.

Explanation:—(1) The expression "Scheduled Tribes" in this Chapter shall mean such Tribes or Tribal communities as are deemed to be Scheduled Tribes in relation to the State of Sikkim under Article 342 of the Constitution of India.

(2) "Land" for this Chapter shall mean lands allowed to be retained or any portion of such land by member of a Scheduled Tribe under this Act.

Transfer of land by Scheduled Tribes.

29. (1) A person belonging to a Scheduled Tribe may transfer his land or part thereof by transfer to another member of Scheduled Tribes or to the Government or to a Corporation owned or controlled by the Government or to a Scheduled or nationalised bank or to a registered co-operative society.

(2) A person belonging to Scheduled Tribe may, with the permission in writing of the Revenue Officer, transfer his land to a person not belonging to any Scheduled Tribe.

(3) The Revenue Officer shall not grant persmission refered to in sub-section (2) unless he is satisfied that no transferee belonging to Scheduled Tribe is willing to pay the fair and reasonable consideration for the transfer of the land and that the proposed transfer is intended to be made for one or more of the following purposes, namely;—

(a) to meet the expenses for the maintenance, education, marriage or medical treatment of such person or any member of his family, or

(b) to make payment of any amount payable to the Government or other local authorities, or

(c) for the purpose of making gift of the land to any institution established exclusively, for religious or charitable purpose.

(d) for the purpose of establishing or running any industry or

(e) for such other purpose as may be prescribed .

Bar on registration of documents of transfer.

30. No document of transfer made in contravention of the provisions of this Chapter shall be registered by any authority or in any way recognised as valid in any Court exercising civil, criminal or revenue jurisdiction or by any other authority.

Power of Revenue Officer to set aside improper transfers.

31. (1) If a transfer of any land by a person belonging to a Scheduled Tribes is made in contravention of the provisions of this Chapter, or if the permission for the transfer-under sub-section (2) of section 29 is found, after an inquiry in the prescribed manner, to have been obtained by misrepresentation or fraud, the Revenue Officer may, of his own motion or on an application made in that behalf and after giving the transferee an opportunity of being heard, by an order in writing, annul the transfer where necessary and shall order ejectment of the transferee from such land, unless such transferee has been in continuous possession for twelve years under the transfer made in contravention of this Chapter.

(2) When the Revenue Officer has passed any order of ejectment under sub-section (1); he shall also order restoration of the transferred

(3) If an order of ejectment under sub-section (1) or an order of restoration under sub-section (2) is not complied with within thirty days of the passing of such order or within such further period as may be extended by the Revenue Officer for good and sufficient reason, the Collector of the district in which such land is situated, shall on a requisition to that effect from the Revenue Officer, effect such ejectment and restoration and for that purpose use such force as may be necessary.

Restriction on the sale inexecution of decree or order.

32. No decree or order shall be passed by any court for the sale of the land of person belonging to a Scheduled Tribe, except for realisation of any Government dues or other public demands.

[1] [Provided that no such sale shall take place in favour of any person not belonging to a Scheduled Tribe except with the permission of the Collector of the district who shall not grant such permission unless he is satisfied that no member of the Scheduled Tribe is willing to buy the land at the minimum amount equivalent to the market price for such land.]

Appeal.

33. Any person aggrieved by an order of the Revenue Officer under Section 31 may, within thirty days from the date of such order, appeal to the Tribunal constituted under Section 13 and such appeal shall be disposed of in the manner provided in Section 13.

Bar to suits and other proceedings.

34. Save as otherwise provided, no suit or other proceeding shall lie in any Court, Tribunal or before any other authority, to challenge, vary or to set aside any order passed under this chapter by the Revenue Officer or the Tribunal.

Certain laws to cease to have effect.

35. On and from the commencement of the provisions of this chapter, the provisions contained in the Revenue Order No.1, dated, the 17th May, 1917 and all other laws relating to matters governed by this Chapter shall cease to have any force and effect.

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1. Added by section 15 of the Sikkim Agricultural Land Ceiling and Reforms (Amendment) Act No.21 of 1978..

CHAPTER VIII

MISCELLENEOUS

Power to make rules. 36. (1) The State Government may, by notification, make rules for the purpose of carrying the provisions of this Act.

(2) In particular and without prejudice of the generality of the provisions, such rules may provide for all or any of the following matters, namely :—

(a) the manner of determination under Section 4;

(b) [1] [* * *]

(c) [2] [* * *]

(d) the period within which the Statement may be filed under sub-section (1) of Section 8 and the particulars which are to be specified in such statement and the person by whom and the manner in which such statement is to be filed.;

(e) the particulars to be mentioned in the draft statement under sub-section (2) of section 9;

(f) the manner of serving the draft statement under sub-section (2) of Section 9;

(g) determination and manner of payment of an annual sum under sub-section (3) of Section 12;

(h) the particular to be mentioned in the statement referred to in sub section (1) of Section 16;

(i) the preparation and revision of record-of-rights under Section 19;

(j) publication of the draft and final record-of-rights under Section 20, the period of such publication, the period within which an application is to be made under sub-section (4) of Section 20, and the period within which an appeal is to be preferred under sub-section (5) of Section 20;

(k) the principle and the manner of distribution of lands under Section 23;

(l) management by the Collector or other authority of the vested lands under Section (24) and the authority under the proviso to Section 24;

(m) the manner of determination of revenue under sub-section (1) and sub-section (2) of Section 26;

(n) the purposes under clause (e) of sub-section (3) of section 29;

(o) the manner of enquiry under Section 31.

Protection for acts done in good faith. [3] [36A. No suit or prosecution or other legal proceedings shall lie against any person or the State Government for anything done or purported to have been done in good faith or in pursuance of this Act or any rule framed or order passed under this Act.]

Power to remove difficulties. 37. If any difficulty arises in giving effect to the provisions of this Act or the rules made thereunder, the State Government, by order, do anything not inconsistent with such provisions which appears to be necessary or expedient for the purpose of removing the difficulty.

[4] [Provided, that no order under this Section shall be made by the State Government after the expiration of a period of two years from the commencement of this Act.]

Sikkim Regulation of Transfer and Use of Land Act, 1975, not to apply. 38. On and from the date of vesting under Section 11 of this Act, the provisions of the Sikkim Regulation of Transfer and Use of Lands Act, 1975, shall cease to have effect in respect of all lands to which provisons of this Act shall apply.

1&2 Omitted by section 16 of the Sikkim Agricultural Land Ceiling and Reforms (Amendment) Act No.21 of 1978.

3. Inserted by section 17 of the Sikkim Agricultural Land Ceiling and Reformss (Amendment) Act No.21 of 1978.

4. Added by section 18 of the Sikkim Agricultural Land Ceiling and Reforms (Amendment) Act No. of

[1] [SCHEDULE I

[Section 6(4)(i) and Section 6(4) (ii)]

GROUP 'A'

1. Pemayangtse Gompa
2. Phodong Gompa
3. Phensang Gompa
4. Ralong Gompa
5. Rumtek Gompa
6. Tashiding Ngadak Gompa

GROUP 'B'

1. Melli Gompa
2. Sangnak Cholling Gompa
3. Khacheed Palri Gomp
4. Dubdi Gompa
5. Sinon Gompa
6. Tashiding Guru Lhakang
7. Dolling Gompa
8. Rinchenpung Gempa
9. Lhuntse Gompa
10. Namchi Ngadak Gompa
11. Simik Gompa
12. Yangang Gompa
13. Tumin Gompa
14. Kartok Gompa
15. Likey Gompa
16. Pabyok Gompa
17. Enchey Gompa
18. Labrang Gompa
19. Lingdok Chankar Gompa
20. Ringeon Gompa
21. Hee Gyathang Gompa
22. Lingthem Gompa
23. Tolung Gompa
24. Sharchok Bayphuk
25. Labrang Wangditse
26. Chungthang Gompa
27. Chakung Gompa
28. Chawang Ani Gompa
29. Bakcham Gompa (Lhakang)
30. Hungri Gompa
31. Ship Kunzang Choling Gompa
32. Rhenock Gompa
33. Santam Gompa
34. Singchi Ngadak Gompa
35. Likney Phagyal Gompa
36. Samdong Gompa
37. Barmiok Gompa
38. Lachen Gompa
39. Lachung Gompa
40. Lachen Mani Lhakang
41. Lachung Thangmochi
42. Lachung Mani Lhakang
43. Dotsuk Gompa
44. Lachen Thangu
45. Gying Gompa
46. Chaney Gompa
47. Tendang Tsamkang
48. Tumlang Mani Lhakang
49. Tingbung Gompa
50. Sumen Gompa
51. Sang Gompa
52. Parbing Gompa
53. Thakuabari, Gangtok Town

54. Zingling Mandir, Song
55. Durga Mandir, Rumtek
56. Mahader Shivalaya Mandir, Parkha
57. Mahadev Mandir, Samdong
58. Shivalaya Mandir, Tintek
59. Shivalaya Mandir, Chhujachen
60. Thakurvari, Rangpo Bazar
61. Thakurbari, Singtam Bazar
62. Radha Krishna Mandir, Rhenock Bazar
63. Mahadev Mandir, Rhenock Bazar
64. Shivalaya Mandir, Aritar Khamdong
65. Shivalaya Mandir, Chhota Singtam
66. Shivalaya Mandir, Dikling Pachekhani
67. Shidheshwar Manhadev Mandir, Namchebong
68. Mandir, Tarpin
69. Thakurbari, Rongli Bazar
70. Onkareshwar Mandir, Aho
71. Kali Mandir Rangpo
72. Krishna Mandir, Duga
73. Thakurbari, Pakyong Bazar
74. Krishna Mandir, Niya Bram
75. Chemchey Mandir, Namchi
76. Thakurbari, Namchi Bazar
77. Thakurbari, Melli Bazar
78. Mahadev Than, Legshep
79. Shri Pashupati Nath Mandir , Dhambudanra
80. Mandir, Timburbung
81. Icha Purna Dasi Ram Dham, Samdong
82. Thakurbari, Soreyong
83. Mandir, Gelling
84. Mandir Sadhungaon, Chakung
85. Durga Bhawani Mandir, Kaluk
86. Paranami Mandir, Tharpu
87. Bhagawati Saraswati Mandir, Dentam
88. Mandir, Hee Gaon
89. Durga Mandir Burmiok
90. Devi Mandir, Sancharey
91. Thakurbari, Nayabazar
92. Durga Bhawani Devi Mandir, Upper Burmiok
93. Devi Mandir Tadong
94. Durga Mandir, Dentam
95. Shiva Mandir, Martam
96. Bhagawati Mandir, Kewzing
97. Rameshwar Mandir, Sadam
98. Rameshwar Mandir, Sumbuk
99. Bhagawati Mandir, Sumbuk
100. Shivalaya, Dhargaon
101. Shivalaya, Lingmo
102. Shankar Bhagawan Shivalaya, Majhitar
103. Gangtok Presbyterian Church
104. Namchi Presbyterian Church
105. Chakung Rumbuk Church
106. Wak Presbyterian Church
107. Phambong Presbyterian Church
108. Rhenock Presbyterian Church
109. Mangan Penticostal Church
110. Mosque at Gangtok

[1] SCHEDULE II

(Section 6 (5)

1. All agricultural lands shall, on the basis of productivity of the soil and access to markets, be classified into Circles. Until a new classification is made, the classification made in Notification No. 615/LR dated the 7th June, 1957, shall be operative in respect of the area referred to therein. For other areas, the classification determined in the course of seettlement operations shall be accepted.

2. Each circle shall, on the basis of altitude and type of crops, grown, be further divided into classes and sub-classes. The classes and sub-classes recorded in the record of - rights for the time being in force shall be accepted for the purpose of ascertaining the class or sub-class to which a land belongs.

3. After ascertaining the appropriate Circle, class and sub-class in the manner aforesaid, the area comprised in the holding shall be converted into standard acres accrording to the following table of conversion :—

CIRCLE	CLASS	AREA EQUIVALENT TO A STANDARD ACRE
A.	I Paddy/Cardamom	1.00 acre
	II -do-	1.25 acres
	III-do-	1.50 -do-
	I Dry	2.00 acres
	II -do-	2.50-do-
	III-do-	3.00-do-
	III Banjo	3.00-do-
B.	I Paddy/Cardamom	1.10 acres
	II -do-	1.37-do-
	III-do-	1.65-do-
	I Dry	2.20-do-
	II Dry	2.75-do-
	III-do-	3.30-do-
	Banjo	3.30-do-
C.	I Paddy/Cardamom	1.30 acres
	II-do-	1.50-do-
	III-do-	2.00-do-
	I Dry	2.60-do-
	II-do-	3.00-do-
	III-do-	4.00-do-
	Banjo	4.00-do-]

By Order of the Governor,

B. R. PRADHAN,

Secretary to the Government of Sikkim
Law and Legislative Department.
F 16 (16) LL/78.

1. Inserted by section 20 of the Sikkim Agricultural Land Ceiilng and Reforms (Amendment) Act No. 21 of 1978.

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No. 158 Gangtok, Thursday, November 23, 1978

LAW AND LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 20/LL/78

Dated Gangtok, the 17th November, 1978.

The following Act of the Sikkim Legislative Assembly having received the assent of the President on the 28th day of October, 1978 is hereby published for general information.

SIKKIM ACT NO. 21 OF 1978

THE SIKKIM AGRICULTURAL LAND CEILING AND REFORMS (AMENDMENT) ACT, 1978

AN ACT

to amend the Sikkim Agricultural Land Ceiling and Reforms Act, 1977 (Sikkim Act No. 14 of 1978).

WHEREAS in order to facilitate the proper implementation of the Sikkim Agricultural Land Ceiling and Reforms Act (Sikkim Act No. 14 of 1978), it is expedient to amend the same in the manner hereinafter appearing.

It is hereby enacted in the Twenty-ninth year of the Republic of India by the legislature of the State of Sikkim as follows:—

Short Title & commencement

1. (1) This Act may be called the Sikkim Agricultural Land Ceiling and Reforms (Amendment) Act, 1978.

(2) It shall come into force at once.

Amendment of Section 2

2. For clause (i) of Section 2 of the Sikkim Agricultural Land Ceiling and Reforms Act, 1977 (Act No. 14 of 1978) (hereinafter referred to as "the Act") the following shall be and shall always be deemed to have been substituted; namely:—

"Family" in relation to a person means himself or herself and his wife or husband as the case may be (other than judicially separated wife or husband), minor sons and unmarried daughters."

Amendment of Section 5

3. In sub-section (1) of Section 5 of the Act, the words "from time to time" shall be and shall always be deemed to have been deleted and after sub-section (1) the following shall be and shall always be deemed to have been added namely :—

"**Explanation I**– The State Government may notify different dates for different areas of the State.

Explanation II– Land held by a bustiwalla as owner along with land cultivated by him in the capacity of an Adhiadar or a Kutiadar shall, for the purposes of this Act, be deemed to be held by him."

(2) Sub-sections (2) and (3) of Section 5 of the Act shall be and shall always be deemed to have been deleted.

Amendment of Section 6

4. For Section 6 of the Act, the following shall be and shall always be deemed to have been substituted, namely:—

Ceiling limit.

6. (1) The ceiling shall be-

(a) in the case of person having no family or a family consisting of not more than five members, twelve and a half standard acres, and

(b) in the case of a person having a family consisting of more than five members, twelve and a half standard acres increased by two standard acres for each member in excess of five, so however, that the ceiling area shall not exceed twenty and a half standard acres.

Explanation- (i) For the purpose of this sub-section, all lands held by a person individually or jointly with other members of his family shall be deemed to be held by him.

(ii) Where any holding is held by him, jointly with any person or persons other than a member of his family, the share of each person in the joint-holding shall be deemed to be held by him.

(2) Every adult son of a person shall be treated as a separate unit and his share in his father's holding or in ancestral holding shall be aggregated along with other land, if any, held by him for the purposes of determining his ceiling limit.

Explanation I– No person who has not completed the age of eighteen years on the date of the notification referred to in sub-section (i) of Section 5 or on the date of future acquisition of land under Section 16 shall be deemed to be an adult.

Explanation II– The expression "adult son" includes an adult son who is dead and has left surviving behind him his widow, minor sons or daughters (other than married daughters) who either do not own any land or hold land less than twelve and a half standard aeres.

(3) Notwithstanding anything in the preceding sub-sections, a monastery or other religious institution shall be entitled to hold -

(a) sixty standard acres, if it is listed in Group A of Schedule I, and

(b) twenty-five standard acres, if it is listed in Group B of Schedule I.

(4) The provisions of this Act shall not apply to -

(a) Land used for growing tea to the extent notified by the State Government;

(b) land owned by the State Government or the Union Government or an undertaking or company owned by the State or the Union Government or by a local authority;

(c) land held by a co-operative society including a co-operative Bank, the State Bank of India, a subsidiary of the State Bank of India as defined in the State Bank of India (Subsidiary Banks) Act, 1959, a corresponding new bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, the Agricultural Refinance Corporation and the Agricultural Finance Corporation;

Provided that in the case of a co-operative society, no member shall be allowed to hold a share of the land which, together with his other land, exceeds the ceiling applicable to him under sub-section (1); and

(d) land held for industrial purposes to the extent notified by the State Government in each case and for the period the land continues to be used for such purposes.

Explanation I– Use of the land for a purpose other than that notified by the State Government shall be deemed to be cessation of use for industrial purposes unless such different use is approved by the State Government.

Explanation II– Use of land for cultivation of crops to be used for industrial purposes shall not amount to use for industrial purposes.

(5) The "standard acre" for different areas for the State shall be determined in the manner provided in Schedule II."

Amendment of Section 7

5. In Section 7 of the Act, the words "or cause any alteration in the use of such land" shall be and shall always be deemed to have been inserted after "otherwise" and before "untill" and the words "or change in the use of land" shall be and shall always be deemed to have been inserted after "transfer" and before "in contravention".

Amendment of Section 9

6. For sub-section (1) of Section 9, the following shall be and shall always be deemed to have been substituted, namely:—

"(1) on the basis of the statement filed by a person under sub-section (1) of Section 8 and in cases where a person fails to file a statement inspite of service of a notice under sub-section (2) of the said section, the Competent Authority may, after such inquiry as he mayconsider necessary either by himself or by any person subordinate to him, cause to be prepared a draft statement in respect of that person".

Insertion of new Section after Section 9

7. After section 9 of the Act, the following shall be and shall always be deemed to have been inserted, namely:—

"Competent authority to have powers of a Civil Court.

9A. The Competent Authority shall, for the purpose of this Chapter, have the powers of a Civil Court under the law for the time being in force relating to Civil Procedure in respect of the following matters, namely:—

(a) proof of facts by affidavits;

(b) enforcing attendance of any person and his examination on oath;

(c) production of documents; and

(d) issue of commission."

Amendment of Section 10

8. In Section 10 of the Act after the words and figures "Section 13" the words and figures "or Section 14" shall be and shall always be deemed to have been inserted.

Amendment of Section 11

9. (1) For sub-section (2) of Section 11 of the Act the following shall be and shall always be deemed to have been substituted, namely:—

"The encumbrances, if any, on the excess land vested in the State in pursuance of sub-section (1) shall attach to the amount payable under sub-section (1) of Section 12".

(2) After sub-section (4) of Section 11 of the Act the following shall be and shall always be deemed to have been added, namely:—

"(5) Without prejudice to the provisions of sub-section (4), a person who does not surrender or deliver possession of the excess land within thirty days of the service of the notice referred to in sub-section (3) shall be liable to pay to the State Government for the period he continues in possession of such land such amount as may be determined by the Competent Authority in the prescribed manner and such amount shall be recoverable as an arrear of land revenue".

Amendment of Section 12

10. In sub-section (1) of Section 12 of the Act for clauses (i) to (iv) the following shall be and shall always be deemed to have been substituted, namely:—

(i) for the first twenty standard acres, an amount being two hundred times the land revenue payable for such land;

(ii) for the next thirty standrad acres, an amount being one hundred times the land revenue payable for such land;

(iii) for the next fifty standard acres, an amount being fifty times the land revenue payable for such land; and

(iv) for the remaining land, an amount being twenty-five times the land revenue payable for such land".

Amendment of Section 14

11. In sub-section (1) of Section 14 of the Act, the words "thirty days" shall be and shall always be deemed to have been substituted by the words "sixty days".

Amendment of Section 15

12. In Section 15 of the Act the following proviso shall and shall always be deemed to have been added, namely:—

"Provided that where the amount payable to a person does not exceed the sum of rupees one thousand, the entire amount shall be paid in a lump sum".

Insertion of new Sections after Section 18

13. After Section 18 of the Act the following Sections shall be and shall always be deemed to have been added, namely —

"State Government to be party to all proceedings.

18A. The State Government shall be party to all proceedings under the provisions of this Chapter.

Penalties.

18B. Whoever contravenes any order passed under this chapter or obstructs any person from taking possession of any land under Section 11 or fails to furnish the statement required under Section 16 or makes or submits a statement or furnishes any information which is false or which he has reasons to believe to be false, shall be punishable with fine which may extend to one thousand rupees.

Recovery of arrears of land revenue and other Government dues.

18C. All arrears of land revenue and other Government dues in respect of any holding or holdings, part or parts whereof has or have been acquired under this Chapter may, without prejudice to any other mode of recovery, be recovered by deducting the outstanding amount from the amount payable under Section 12.

Recovery of excess amount paid.

18D. Where on account of an arithmetical error a person has been paid any amount in excess of what he is entitled to under Section 12, the State Government shall be competent to recover the excess amount as an arrear of land revenue;

Provided that no order for recovery of any such amount shall be made without giving the person an opportunity of being heard by the Competent Authority."

Omission of Section 21

14. Section 21 of the Act shall be and shall always be deemed to have been omitted.

Amendment of Section 32

15. In Section 32 of the Act the following proviso shall be and shall always be deemed to have been added, namely:—

"Provided that no such sale shall take place in favour of any person not belonging to a Scheduled Tribe except with the permission of the Collector of the district who shall not grant such permission unless he is satisfied that no member of the Scheduled Tribe is willing to buy the land at the minimum amount equivalent to the market price for such land."

Amendment of Section 36 (2).

16. Clauses (b) and (c) of sub-section (2) of Section 36 shall be and shall always be deemed to have been omitted.

Insertion of new Section after Section 36

17. After Section 36 of the Act the following shall be and shall always be deemed to have been added, namely:—

"Protection for acts done in good faith.

36A. No suit or prosecution or other legal proceedings shall lie against any person or the State Government for anything done or purported to have been done in good faith or in pursuance of thisAct or any rule framed or order passed under this Act."

Amendment of Section 37

18. In Section 37 of the Act the following proviso shall be and shall always be deemed to have been added, namely:—

"Provided, that no order under this Section shall be made by the State Government after the expiration of a period of two years from the commencement of this Act."

Amendment of the schedule.

19. The word "SCHEDULE" occurring after Section 38 shall be and shall always be deemed to have been substituted by "SCHEDULE 1".

Insertion of Schedule II

20. After SCHEDULE 1 of the Act the following shall be and shall always be deemed to have been added, nameiy:—

"SCHEDULE" II
(Section 6 (5)

1. All agricultural lands shall, on the basis of productivity of the soil and access to markets, be classified into Circles. Until a new classification is made, the classification made in Notification No. 615/LR dated the 7th June, 1957, shall be operative in respect of the area referred to therein. For other areas, the classification determined in the course of settlement operations shall be accepted.

2. Each circle shall, on the basis of altitude and type of crops, grown, be further divided into classes and sub-classes. The classes and sub-classes recorded in the record-of-rights for the time being in force shall be accepted for the purpose of ascertaining the class or sub-class to which a land belongs.

3. After ascertaining the appropriate Circle, class and sub-class in the manner aforesaid, the area comprised in the holding shall be converted into standard acres according to the following table of conversion:—

CIRCLE	CLASS	AREA EQUIVALENT TO A STANDARD ACRE
A.	I Paddy/Cardamom	1.00 acre
	II -do-	1.25 acres
	III -do-	1.50 -do-
	I Dry	2.00 acres
	II -do-	2.50 -do-
	III -do-	3.00 -do-
	Banjo	3.00 -do-
B.	I Paddy/Cardamom	1.10 acres
	II -do-	1.37 -do-
	III -do-	1.65 -do-
	I Dry	2.20 -do-
	II Dry	2.75 -do-
	III -do-	3.30 -do-
	Banjo	3.30 -do-
C.	I Paddy/Cardamom	1.30 acres
	II -do-	1.50 -do-
	III -do-	2.00 -do-
	I Dry	2.60 -do-
	II -do-	3.00 -do-
	III -do-	4.00 -do-
	Banjo	4.00 -do-"

21. The Sikkim Agricultural Land Ceiling and Reforms (Amendment) Ordinance, 1978 (Ordinance No. 3 of 1978) is hereby repealed. **Repeal.**

By Order,

B. R. PRADHAN,
Secretary to the
Government of Sikkim,
Law & Legislative Department.
F. 16(16)LL/78.

THE SUBSEQUENT AMENDMENTS TO THE SIKKIM AGRICULTURAL LAND CEILING AND REFORMS ACT, 1977 (ACT NO. 14 OF 1978) AMENDED AND UPDATED UPTO NOVEMBER, 1978

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